

COUNTY OF YORK

MEMORANDUM

DATE: July 22, 2004 (BOS Mtg. 8/17/04)

TO: York County Board of Supervisors

FROM: James E. Barnett, County Attorney

SUBJECT: Sandbox Lane Sewer Improvements

The Sandbox Lane sewer improvement project in the Dandy area was installed under emergency conditions due to a failing septic system and has already been completed. The property owners gave verbal permission to install the line on their properties before paperwork for the required easements was done. However, since the line was installed, the owners have failed to convey the easements to the County. Therefore, we must proceed through the quick take process to allow County staff to enter into the easement area when necessary for routine maintenance and repairs. State law permits the Board, after the adoption of an ordinance or resolution following a public hearing, and the subsequent recordation of certificates of take, to enter upon and take the easements necessary prior to formal condemnation proceedings being initiated. The recordation of such a certificate binds the County to pay the owners at least the amounts set out in the Board's resolution. The figures reflected in the attached resolution are based on appraisals prepared by staff and reviewed by the County Assessor, and represent the most recent offers made for the easements. The following are the easements that need to be acquired:

Official Tax Map No. 20-1-1
Property of Timothy D. McCulloch and Sherry V. McCulloch

Official Tax Map No. 20-75
Property of Carroll T. Tiller

The attached proposed resolution will authorize the filing of certificates of take and the entry onto the properties for the purpose of future maintenance and repairs. The easements are shown on the plats, copies of which are also attached.

Barnett/3340:sw
Attachments:

- Plats
- Resolution R04-124